



## EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 95

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### ***EMERGENCY PROCEDURES FOR CONDUCTING STATE BUSINESS FOR THE LOUISIANA SUPERDOME***

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- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No. 48 KBB 2005, as amended by Proclamation Nos. 54 KBB 2005, 61 KBB 2005, and 68 KBB 2005;
- WHEREAS,** Hurricane Katrina has caused unprecedented and extensive damage in the state of Louisiana and this tragic event has significant consequences on the financial conditions of the state;
- WHEREAS,** the Louisiana Superdome is a unique asset and an integral part of the economic vitality and recovery of the state, fostering tourism, generating revenue for the hotel, travel, and restaurant industry, and garnering recognition nationally and globally as a premier destination for sporting events, conventions, and shows;
- WHEREAS,** any delay in the restoration of the Louisiana Superdome to a full service facility may force continued cancellation of sporting events, conventions and shows, thus, severely decreasing tourism and ultimately affecting the overall economic recovery of the state;
- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana; and
- WHEREAS,** the Louisiana Superdome, through the Louisiana Stadium and Exposition District (hereafter "LSED"), and the Office of Facility Planning and Control (hereafter "FP&C"), have requested that time-lines be abbreviated to expedite procurement of certain items, including but not limited to, the services of general contractors, construction managers, subcontractors, laborers, materialmen, suppliers, and other goods and services for the construction, repair, and replacement of damage at the Louisiana Superdome from Hurricane Katrina and its aftermath, so that the Louisiana Superdome is made ready to host sporting events, conventions, and shows, as soon as possible, which will produce significant tax revenues and increased tourism for the state of Louisiana and will signal the revitalization and rebuilding of the city of New Orleans;
- NOW THEREFORE , KATHLEEN BABINEAUX BLANCO**, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

**SECTION 1:** That such statutes or regulations which might prevent the Louisiana Superdome, through the LSED, as a political subdivision of the state of Louisiana, or the FP&C from being authorized and empowered to contract for services of general contractors, construction managers, subcontractors, laborers, materialmen, suppliers, and for other goods and services for the construction, repair, and replacement of all damages at the Louisiana Superdome as a result from Hurricane Katrina and its aftermath, specifically R.S. 38:2181, *et seq.*, R.S. 39:1481, *et seq.*, R.S. 39:1551, *et seq.*, and Title 34 of the Louisiana Administrative Code, are hereby

suspended. The Louisiana Superdome, LSED, and FP&C shall maintain documentation which shall include the vendor's names and addresses, goods or services purchased, prices paid, invoices and other emergency related reasons for those purchases or contracts. Strict compliance with R.S. 38:2181, *et seq.*, R.S. 39:1481, *et seq.*, R.S. 39:1551, *et seq.*, and Title 34 of the Louisiana Administrative Code shall not be required.

**SECTION 2:** The FP&C in the Division of Administration shall administer the project and may issue requests for proposals for the competitive selection of a construction management firm and other suppliers of goods and services as described in Section 1 above, shall be allowed to negotiate prices with the firm(s) and suppliers of goods and services, through expedited and competitive requests for proposals process. Strict compliance with R.S. 38:2181, *et seq.*, R.S. 39:1481, *et seq.*, R.S. 39:1503, *et seq.*, R.S. 39:1551, *et seq.*, and Title 34 of the Louisiana Administrative Code shall not be required.

**SECTION 3:** Notwithstanding any provisions of this Order, when procurements are made which would otherwise be subject to the provisions of R.S. 38:2181, *et seq.*, R.S. 39:1481, *et seq.*, R.S. 39:1551, *et seq.*, or Title 34 of the Louisiana Administrative Code, procedures and requirements set forth in R.S. 38:2212(D)(2) shall be complied with. Additionally, the Louisiana Superdome, LSED, and FP&C shall at a minimum:

- A. Establish a centralized point of contact that monitors all transactions conducted without strict statutory compliance and maintains copies of all documentation;
- B. Solicit competitive quotes and/or offers from at least three potential offerers, whenever possible, and take the necessary steps to assess that fair and equitable pricing is being offered; and
- C. Only issue payments to contractors, suppliers, or vendors after verification that all goods, services, and repairs meet contract requirements.

**SECTION 4:** The inspector general is directed and authorized to monitor those transactions conducted outside the scope of regulatory statutes, orders, rules and regulations to insure that those transactions are directly related to the emergency situation and are prudently handled and if any inappropriate transactions are noted, those situations shall be reported directly to the governor.

**SECTION 5:** This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law prior to that date.



**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 9th day of December, 2005.

**/S/ Kathleen Babineaux Blanco**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**/S/ Al Ater**  
**SECRETARY OF STATE**